

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 16-18, 20-26, 28-34, 36-42, and 44-46 remain pending in the present application. No new matter has been added.¹

By way of summary, the Office Action rejected Claims 16-18, 20-26, 28-34, 36-42, and 44-46 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Application Publ'n No. 2001/0030827 to Morohashi (hereinafter "Morohashi").

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant and Applicant's representative wish to thank Primary Examiner Pham for the courtesy of the personal interview granted on December 29, 2010. During the interview, amendments clarifying the claims over the applied reference were discussed. Primary Examiner Pham suggested amendments to clarify the operations performed by the processing unit of Claim 16. To expedite prosecution, Applicant has analogously amended the processing means of Claim 31 on the understanding that such amendments are for clarification only and do not require that a processing means be currently controlling, starting, or updating to fall within the scope of that claim. Further claim amendments and comments similar to those presented during the interview are included herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 16-18, 20-26, 28-34, 36-42, and 44-46 were rejected under 35 U.S.C. § 102(b) as anticipated by Morohashi. In light of that rejection, independent Claims 16 and 31-32 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied reference.

¹ The amendments to independent Claims 16 and 31-32 find support at least in the specification in the paragraph bridging pages 38 and 39.

Amended Claim 16 is directed to an information-processing apparatus including, in part,

a networking device that communicates with an external apparatus;

a storage that stores an album of a plurality of content data and a transfer log . . . ; and

a processing unit configured to identify certain content data from the plurality of content data . . . upon a reception of a device ID of the external apparatus from the external apparatus and when the transfer log indicates that the certain content data has never been transferred to the external apparatus

Morohashi does not disclose or suggest those features.

Morohashi describes a return of a piece of music from a portable apparatus including a flash memory 54 to a recording/reproducing apparatus including a ROM 12.² Morohashi further describes a “session number . . . unique to every recording/reproducing apparatus 10 and stored in the ROM 12 for example before being shipped from [a] factory.”³ According to Morohashi, “the session number . . . allows [a] CPU 11 to determine . . . whether the music data to be returned were transferred from the recording/reproducing apparatus 10 by checking the session number . . . in the flash memory 54.”⁴

That is, Morohashi merely describes checking a session number of the recording/reproducing apparatus in the *portable* apparatus. Morohashi does not describe identifying content upon a reception of the session number of the recording/reproducing apparatus from the *recording/reproducing* apparatus.

Morohashi does not disclose or suggest “a processing unit configured to identify certain content data . . . upon a reception of a device ID of the external apparatus from the external apparatus,” as recited in amended Claim 16.

² Morohashi, para. [0188]; id., Figs. 3-4.

³ Id., para. [0194].

⁴ Id.

For at least the foregoing reasons, it is submitted independent Claim 16 (and all associated dependent claims) patentably distinguishes over Morohashi.

For at least analogous reasons, it is submitted Morohashi does not disclose or suggest “processing means for identifying certain content data . . . upon a reception of a device ID of the external apparatus from the external apparatus,” as recited in amended Claim 31, or that “the instructions, when executed by a processing unit, cause the processing unit to: . . . identify certain content data . . . upon a reception of a device ID of the external apparatus from the external apparatus,” as recited in amended Claim 32.

It is further submitted independent Claims 31-32 (and all associated dependent claims) patentably distinguish over Morohashi.

CONCLUSION

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the present application is patentably distinguished over the applied reference. The application is therefore in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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